IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

MONDAY, THE 12TH FEBRUARY 2007 / 23RD MAGHA 1928

CRP.No. 128 of 2007()

AGAINST THE COMMON AWARD IN OP(ELE.)30/1997 of ADDITIONAL DISTRICT COURT (ADHOC - I), ERNAKULAM DT.28.6.2006.

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REVN. PETITIONER: RESPONDENT:

KERALA STATE ELECTICITY BOARD,
REP. BY ITS SECRETARY, VYDHYUTHI BHAVAN, PATTOM,
THIRUVANANTHAPURAM.

BY ADV. SRI.C.K.KARUNAKARAN, SC FOR KSEB

RESPONDENTS: PETITIONER:

SMT. MARY JOSE, AGED 40 YEARS,
W/O. JOSE, KANNOTH HOUSE, CLAMANT ROAD,PERUMBAVOOR

THIS CIVIL REVISION PETITION HAVING COME UP FOR ADMISSION ON 12/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P.BALACHANDRAN, J.

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C.M.Appl.No.164 of 2007 &
C.R.P.NO.128 OF 2007

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Dated this the 12th day of February 2007

ORDER

C.M.Appl.No.164 of 2007

This is an application filed by the petitioner/KSEB seeking for condonation of delay of 403 days in filing this CRP against the award passed in O.P.(Ele)No.30/1997 on the file of the District Court, Ernakulam. In the affidavit accompanying the application, the explanation for the delay is contained in Para 3 of the affidavit and is as follows:

> "I submit that after receipt of a certified copy of the impugned order, sanction had to be obtained from the Board for filing Civil Revision Petition and in this process there occurred a delay of 403 days in filing the Revision petition. The delay occurred due to the bonafide reason submitted above and due to administrative exigencies. There was no willful negligence or laches on the part of the petitioner. If the delay in filing the revision petition is not condoned and the C.R.P. not taken up for adjudication on merits, then the petitioner would be put to great prejudice, irreparable loss and injury."

The above averment that delay of as many as 403 days has occurred due to administrative exigencies without giving any explanation thereof cannot be a ground to have the delay condoned. There is no merit in this application to have the inordinate delay of 403 days condoned. Hence, this application is dismissed.

C.R.P.No.128 of 2007:

C.M.Appl.No. 164 of 2007 seeking condonation of delay of 403 days is dismissed. Consequently, this C.R.P. is also dismissed as barred by limitation.

K.P.BALACHANDRAN, JUDGE

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